

Appl. No. 10/749,151
Amdt. Dated August 2, 2007
Reply to Office Action of February 2, 2007

Docket No. CE11770JSW

Claim Status

Claims 1-21 were pending in the application. Claims 1 and 11 have been rewritten, and claims 18-21 have been cancelled.

REMARKS/ARGUMENTS

Claims 1-21 were rejected under 35 USC 102(e) over Okuzako (2004/0116167).

Okuzako shows a clam-type device with an external display with and external control section of buttons, and an imaging section. The external display and control section allow the user of the device to control operation of the imaging section and see photographs taken therewith. According to paragraph 0031 of Okuzako, the external control section is deactivated when the device is in an open position.

Applicant has amended independent claims 1 and 11 to indicate that the actuators perform dual functions; they operate to shift data displayed on the external display when the device is closed, and perform other function unrelated to shifting data when the device is opened, such as, for example, volume control, as described on page 5, 0027, and page 6, 0028. As this limitation is not shown by Okuzako, the amendment has obviated the rejection under 35 USC 102(e) with respect to the remaining independent claims.

Additionally, the claims of the application claim that data is shifted in response to operation of the actuators. The Rejection contends that Okuzako shows such shifting at 0141. Reading 0141, the applicant finds there to be described some buttons referred to by directional names, UP, DOWN, LEFT, RIGHT, and CENTER. However, Applicant does not find that these names correspond to and movement or shifting of data, rather they appear to be so named for their positions relative to each other. In fact, in the 0142, functions are attributed to these buttons; the UP and DOWN buttons adjust exposure of the imaging section, the LEFT and RIGHT buttons control zoom in/out. These functions are quite different than the shifting of information as described in substantial detail by Applicant in paragraphs 0035-0047, describing FIGs. 3-11. As would be read by one of ordinary skill as the actuators are operated, different portions of, for example, a phone book entry are displayed. Given this substantial difference

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from Okuzako, Applicant believes Okuzako does not show, describe, or suggest the shifting of data as claimed by claims 1 and 11, and dependent claims 2-10 and 12-17, respectively,

No amendment made was for the purpose of narrowing the scope of any claim. The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

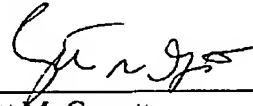
The Commissioner is hereby authorized to charge any fee due, or credit any overpayment, to Motorola, Inc., Deposit Account Number 50-2117.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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Law Department – MD 1610
8000 W. Sunrise Blvd.
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Customer Number: 24,273

By: _____


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